

# Exhibit A

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## Carella, Byrne

### **AN INTRODUCTION TO CARELLA, BYRNE**

Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein, with offices in Roseland, New Jersey, had its origins in a partnership created in 1976 by Charles C. Carella, John N. Bain and John G. Gilfillan, III. Since then, the firm has grown from four attorneys to fifty. In 1990, the firm merged with two others: Bozonelis and Woodward of Chatham, New Jersey, and Cecchi, Brody & Agnello, of Lyndhurst, New Jersey.

Throughout our history, our goal has not been growth for growth's sake, but to be a diversified full-service firm that offers our clients a depth of experience that is virtually unmatched. Most importantly, our growth has been a studied one: an approach which has enabled us to maintain the energy and cooperative spirit of a small practice, allowing us to respond quickly and creatively to our clients' problems.

We have significant strength in complex litigation, federal class action litigation, intellectual property, corporate, health care, public financing, environmental, labor, tax and administrative law. This level of experience offers our corporate clients very broad-based legal representation.

We have long been recognized as one of the leading New Jersey law firms, a reputation that has helped us attract a wide spectrum of clients -- from individuals to multinational corporations; from small businesses to non-profit organizations; from zoning boards to state governments.

Today, Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein is an established and successful law firm that is ready to serve you or your organization with a breadth and depth of experience rare in a firm our size.

To help us serve our clients' promptly and in a cost effective manner, we have a full complement of law clerks, paralegals, word processors and support staff, and state-of-the-art computer and word processing systems, including optical scanners, laser printers, and Westlaw.

We are committed to quality and diversity in our practice areas. Diversity allows our firm to remain a competitive force in the legal marketplace. The firm's commitment to the highest quality of legal work walks hand-in-hand with its commitment to employ the highest quality of diverse people so that we can best serve all of the needs of our clients.

## **Carella, Byrne**

### **GENERAL LITIGATION**

The Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein litigation department participates in a broad range of contested matters. We represent corporations in derivative suits and with respect to allegations of breach of federal and state securities regulations. Additionally, we represent institutions and national companies in warranty, franchise and dealer termination actions; medical malpractice defense claims; and real estate matters, including planning board, board of adjustment proceedings and fair-share housing cases.

#### **Technical Litigation**

We are uniquely staffed to handle complex technical litigation. In addition to legal training, a number of attorneys have degrees and experience in chemical, electrical, mechanical and biomedical engineering. Litigation cases involve patents, trademarks, trade secrets, copyrights, unfair competition and construction, as well as architectural and engineering malpractice.

#### **Environmental Litigation**

We handle environmental cases involving current owner liability and third-party common law claims, plus cases under federal and state statutes such as the Federal Water Pollution Control Act, ECRA, the Spill Act, the Resource Conservation Recovery Act (as amended by the Hazardous and Solid Waste Amendments of 1984), the Clean Water Act, the Toxic Substances Control Act, the Comprehensive Environmental Response Compensation Liability Act of 1980 (as amended by the Superfund Amendment and Reauthorization Act of 1986), and many others. We have attorneys expertly trained in environmental matters with a background uniquely suitable to rendering appropriate advice to our corporate and individual clients.

#### **Medical Malpractice Defense**

Medical malpractice defense work is one of the busiest areas of our litigation practice. We represent a number of major health care institutions, and serve as primary defense counsel for insureds of major insurance companies. During our history, we have represented physicians, dentists, podiatrists, chiropractors, nurses, nurse midwives, and hospitals in a variety of complex litigated matters throughout the state courts.

#### **Intellectual Property Expertise**

Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein is nationally recognized in the fields of patent, trademark, copyright, unfair competition, trade secret law and antitrust law as applied domestically and internationally. We have broad technical expertise in chemical, mechanical and electrical engineering; physics; organic chemistry; biochemistry; commercial and industrial building construction, and road and bridge construction; sewage and waste management, including toxic and hazardous waste, radwaste and environmental control. A number of our partners and associates are registered to practice before the U.S. Patent and Trademark Office.

## **Carella, Byrne**

Our particular litigation expertise is in U.S. District Courts and Circuit Courts of Appeal in California, Illinois, Texas, New York, Pennsylvania, Florida and New Jersey, as well as the Court of Appeals for the Federal Circuit.

We also maintain close ties with associate counsel in the United Kingdom, Japan, West Germany, Canada, Italy, France, Austria, Taiwan, Korea, Australia and the Peoples Republic of China. We have controlled and/or participated in patent and other intellectual property litigation in Japan, West Germany, the United Kingdom, Canada, Australia, New Zealand and Austria.

What's more, we offer many other intellectual property services, including licensing and preparation and prosecution of patent applications around the world.

## **Corporate and Financial**

Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein provides all legal services involving the sale, purchase and reorganization of a business, including creation of corporations, partnerships and limited partnerships, mergers and acquisitions, public and private corporate financing, and representation in regulatory compliance cases.

## **Banking**

We have broad experience in commercial lending matters (secured and unsecured), representing both lenders and borrowers; and have counseled banks in all aspects of operations. We have represented institutions in both state and federal regulatory compliance, and in all phases of loan work-outs and financial restructurings. Our experience also extends to commercial litigation and foreclosures.

All too often, financial institutions face breach of both secured and unsecured loan agreements. So to help our clients preserve their banking relationships with their customers, we regularly handle work-outs, no matter how simple or complex. We've handled multiparty and multistate transactions involving construction, apartment complexes, warehouse lines of credit and inventory financing.

## **Savings and Loan Conversions**

We have helped savings and loan associations convert from mutual ownership to stock ownership. These include standard conversions, modified conversions, supervisory conversions and holding company formations. Services range from contract negotiation and completion, to regulatory authority application preparation and follow-up. And after conversion, we provide general counsel.

## **Mergers and Acquisitions**

## **Carella, Byrne**

Our firm has counseled corporate clients on mergers and acquisitions, with a special emphasis on the acquisition or divestiture of stand-alone businesses. Clients have included large corporations filling in product lines; small, privately held corporations which are liquidating; and large corporate division managers involved in a management buy-out. We counsel clients on employee issues, environmental concerns, liability and contractual issues, regulatory matters and tax issues.

### **Creditors' Rights and Bankruptcy**

Our firm provides comprehensive legal expertise for clients involved in both corporate and individual insolvencies. We have represented corporate debtors-in-possession, corporate trustees, creditors committees and secured and priority parties in reorganizations and liquidations.

We have expertise in those areas impacting on current bankruptcies including tax (including ERISA), environmental (including state and federal regulations), labor, admiralty, intellectual property, general corporate transactions and commercial and corporate litigation.

### **Public Finance**

We are a nationally recognized Bond Counsel firm. This means that the investment community looks to us as an expert in public finance law, and that our approving legal opinions are relied on by investors as to the legality and enforceability of tax-exempt obligations.

We have served as Bond Counsel for the issuance of hundreds of millions of dollars of tax-exempt financings for municipalities and local, county and state authorities. And in this capacity, we have assisted in financing everything from the purchase of a town's computer system to the building of a resource recovery facility, to the repair of the Garden State Parkway.

In addition, we have served as underwriters' counsel and counsel to national investment banking firms, and as general counsel to companies obtaining tax-exempt loans for industrial development.

### **Class Action Litigation**

Representative examples of ongoing complex litigation, in which Carella Byrne is involved are:

## **Carella, Byrne**

### **In re Vytorin/Zetia Marketing, Sales Practices and Products Liability Litigation**

Carella Byrne filed the first complaint, and numerous follow up complaints, against Schering-Plough and Merck relating to their marketing of anti-cholesterol drugs Vytorin and Zetia after it was revealed that the companies had been concealing a significant study questioning the effectiveness of the drugs. The hundreds of cases filed across the nation have been consolidated in the United States District Court for the District of New Jersey by the Judicial Panel for Multidistrict Litigation. Carella Byrne has been appointed by the District Court to serve on the Leadership Team leading this complex multi-billion dollar MDL, *In Re: Vytorin/Zetia Marketing, Sales Practices and Products Liability Litigation*, MDL No. 1938 (DMC).

### **Exxon Dealer Class Action**

In 2005, Exxon and Class Counsel reached a settlement which required Exxon to pay \$1,000,070,000 into a settlement fund which would then be utilized to pay claims submitted to a Special Master by over 10,000 class members. On behalf of the State of New Jersey, Carella Byrne participated in the settlement negotiations and assisted class counsel achieve an overwhelming victory for the class.

Further, in connection with the settlement of the class' case, the Honorable Alan Gold, U.S.D.J., appointed Carella Byrne (and co-counsel Wicker, Smith) to represent the interests of 34 States as "States' Counsel", in the post-settlement claims administration process. That assignment is ongoing, *Allapattah Services, Inc. v. Exxon Corporation*, Case No. 91-0986-Civ-Gold.

### **Wachovia ERISA Class Action**

Carella Byrne is co-counsel on behalf of the class in *Serio, et al. v. Wachovia Securities LLC*, Civil Action No. 06-4681(DMC), which was brought on behalf of former Prudential Financial financial advisors and branch managers whose deferred compensation contributions were forfeited when they left employment with Wachovia Securities. The plaintiffs argued that the respective deferred compensation plans are, in fact, "retirement plans" under ERISA and, as a result, the employee contributions should not have been forfeited. Alternatively, the plaintiffs argued that they were constructively discharged as a result of adverse employment conditions which made it impossible for them to perform their jobs and, as a result, their accounts should not have been forfeited under the terms of the respective plans. The settlement in this matter was approved in March 2009.

### **Rail Fuel Surcharge Antitrust Class Action**

In May 2006 Carella Byrne, along with Quinn, Emmanuel, Urquhart Olivier & Hedges and others, filed the first nation-wide class action against the five major United States railroads alleging that they engaged in a price-fixing conspiracy through the use of inflated rail fuel surcharges, *Dust Pro, Inc. v. CSX Transportation, Inc., et. al.*, Civil Action No. 07-2251 (DMC). This significant nationwide antitrust case (involving damages in the billions) has been

## **Carella, Byrne**

consolidated by the Panel on Multi District Litigation in the District of Columbia with approximately 20 other complaints filed around the nation. Carella Byrne has been appointed to the five member Executive Committee who, along with two co-lead counsel, will lead this important case forward. *In re Rail Freight Fuel Surcharge Antitrust Litigation*, MDL No. 1969 (PLF).

### **In re: Mercedes-Benz Tele-Aid Contract Class Action**

Carella Byrne is co-lead counsel with two other firms on behalf of the class in this multidistrict litigation arising from Mercedes-Benz' continued sales of analog Tele-Aid systems in its automobiles when it knew that FCC regulations required the discontinuance of all analog cellular communications as of February 2008. In this action, *In re Mercedes-Benz Tele-Aid Contract Litigation*, MDL No. 1914(DRD), the plaintiffs allege claims for consumer fraud and breach of warranty.

### **Merck/Vioxx Securities Class Action**

In September 2006, Carella Byrne was appointed Co-Liaison counsel for the class in the multi-billion dollar securities class action against Merck & Co. arising out of the withdrawal of the drug Vioxx from the market in 2004. This multi-billion dollar securities class action is ongoing after the United States Court of Appeals for the Third Circuit reversed the District Court's dismissal of the case, *In Re: Merck & Co., Inc., Securities, Derivative & "ERISA" Litigation*, MDL No. 1658 (SRC).

### **In Re Virgin Mobil IPO Litigation**

On November 21, 2007, Carella Byrne filed the first securities class action lawsuit against Virgin Mobile USA alleging that Virgin created and distributed a materially false and misleading Registration Statement and Prospectus in connection with its October 2007 IPO.

On March 18, 2008, Carella Byrne and its co-counsel were appointed Co-Lead Counsel for the Class by the United States District Court for the District of New Jersey. The Virgin Securities Class Action is ongoing, *In Re: Virgin Mobile USA IPO Litigation*, Lead Case No. 07-5619 (SDW).

### **In Re: Schering-Plough/Enhance Securities Class Action Litigation**

Carella Byrne filed the first case against Schering Corporation and was appointed to the leadership team as liaison counsel on behalf of the class in this securities fraud litigation related to misleading statements contained in public securities filings made by Schering-Plough Corporation related to the continued commercial viability of Vytorin and Zetia, while it was aware of the results of the Enhance study which questioned the effectiveness of both drugs. *In Re: Schering-Plough/Enhance Securities Litigation*, Lead Case No. 08-397(DMC).

## Carella, Byrne

### **In re: Merck & Co. Enhance Securities Class Action Litigation**

Carella Byrne has been appointed to the leadership team of the case as Liaison Counsel on behalf of the class in this securities fraud litigation related to misleading statements contained in public securities filings made by Merck & Co., Inc. related to the continued commercial viability of Vytorin and Zetia, while it was aware of the results of the Enhance study which questioned the effectiveness of both drugs. These consolidated actions are pending in the United States District Court for the District of New Jersey. *Genessee County Employees' Retirement System v. Merck & Co., Inc., et al*, Civil Action No. 08-2177 (DMC); *Horowitz and Hoffmans v. Merck & Co., Inc., et al.*, Civil Action No. 08-2260 (DMC)

### **Internet Tax Class Action**

This class action was recently filed in New Jersey on behalf of the Township of Lyndhurst and other New Jersey municipalities which charge occupancy taxes on hotel and motel rooms. The complaint alleges that the defendants, travel websites, paid occupancy taxes based upon on the wholesale prices they paid for hotel and motel rooms, rather than the retail prices paid by the customer. The suit seeks taxes on the difference between the wholesale and retail prices. *Township of Lyndhurst v. Priceline.com*, Civil Action No. 08-3033(JLL)

### **Sprint ETF Action**

Carella Byrne was appointed as co-class counsel for a nationwide class of individuals who were charged an early termination fee by Sprint Nextel. The Court has preliminarily approved a settlement of this matter, and final approval is set for November 2009. *Sampang, et al. v. AT&T Mobility LLC, et al.*, Civil Action No. 07-5324(JLL).

### **In re: Aetna UCR Litigation**

Carella Byrne was appointed as a member of Plaintiffs' Executive Committee and Settlement Liaison Counsel in this litigation, which alleges that Aetna systematically underpaid out-of-network medical claims using the flawed Ingenix database. *In re Aetna UCR Litigation*, Master Docket No. 07-3541(FSH).

### **Other Class Actions**

Carella Byrne is also currently prosecuting, either as co-lead counsel or liaison counsel, numerous other significant class actions in New Jersey including:

- *Ramirez v. Lycatel, LLC*, Civil Action No. 07-05533(FSH)(calling card fees)
- *Coppolino v. Total Call*, Civil Action No. 08-539(FSH)(calling card fees)
- *Ramirez v. STI Prepaid*, Civil Action No. 08-1735(FSH)(calling card fees)
- *Davis Landscape v. Hertz Equipment Rental Corporation*, Civil Action No. 06-3830(DMC)(loss damage waiver fees)
- *Jackson v. Alparma*, Civil Action 07-3250(GEB)(unpaid overtime)

## Carella, Byrne

- *Beierschmidt v. Whirlpool*, Civil Action No. 08-3177(JBS)(defective washing machines)
- *Chandran v. BMW of North America*, Civil Action No. 08-2619(KSH)(defective and dangerous tires)
- *Risi v. Toshiba America*, Civil Action No. 08-939(DRD)(consumer fraud relating to discontinuance of Toshiba HD DVD players)
- *In re LG Front Loading Washing Machine Class Action Litigation*, Civil Action No. 08-51(FSH)(defective washing machines)

Carella Byrne is also representing numerous pharmaceutical companies in pending patent infringement actions. The majority of these actions arise under the Hatch-Waxman Act. Representative cases include: *Aventis v. Teva Pharmaceutical*, Civil Action No. 07-2454 (JAG) (Allegra); *Schering v. Ivax Corporation*, Civil Action No. 00-2931 (Claritin); *Eli Lilly and Company v. Actavis Elizabeth LLC et. al.*, Civil Action No. 07-770; *Connetics v. Agis Industries*, Civil Action No. 05-5038 (GEB) (Olux); *Merck & Co. v. Apotex*, Civil Action No. 06-5789(MLC) (Trusopt); *Janssen Pharmaceutica v. Apotex*, Civil Action No. 06-1020(DMC) (risperidone); *Cephalon v. Mylan Pharmaceuticals, et al.*, Civil Action No. 03-1394(JCL) (Provigil); *Celgene Corp. v. Barr Laboratories*, Civil Action No. 07-286(SDW)(Thalomid); *Novartis Corp., et al. v. Lupin Ltd.*, Civil Action No. 06-5954(HAA); *Savient Pharmaceuticals v. Sandoz, et al.*, Civil Action No. 0605782(PGS) (oxandrolone) .

In addition to these ongoing matters, Carella Byrne previously was appointed Trustee/Receiver by the United States District Court, District of New Jersey, in connection with securities law violations by Eddie Antar, founder of the defunct consumer electronics chain Crazy Eddie, *Securities and Exchange Commission v. Eddie Antar et al.*, Civil Action No. 89-3773 (JCL).

The Antar Receivership required Carella Byrne to work with the Securities and Exchange Commission ("SEC"), and to commence litigation in numerous foreign jurisdictions, including Switzerland, Canada, Liechtenstein and Israel, in an effort to repatriate and recover millions of dollars in illegally obtained assets which Mr. Antar had diverted from the Crazy Eddie chain.

In its capacity as Trustee/Receiver, Carella Byrne recovered over \$80,000,000, which was paid to Mr. Antar's victims. The SEC has reported that the *Antar* case represented the largest asset recovery in a contested case as of that time. The investment of the assets fully funded all expenses of the receivership and contributed a substantial amount to the settlement fund, even though the receivership extended from 1990 to 2005.

In addition to its other responsibilities Carella Byrne undertook administration of the settlement fund, including addressing tax and lien issues on behalf of the funds and harmed investors, participating in obtaining a tax exempt ruling on fund income from the New Jersey Division of Taxation, and working closely with the claims administrator and the SEC. Notably, in the claims evaluation and payment process, Carella Byrne personally reviewed and evaluated each claim for payment or denial of payment, and communicated the decisions to investors, the SEC and the Court, and appeared in response to any objection or appeal of the claims decisions, none of which was reversed or modified. Carella Byrne also oversaw the distribution process

## Carella, Byrne

consisting of payments of thousands of checks to investors in a two-tier distribution process administered by the claims administrator and the bank. Finally, investor contact information was maintained and updated for future distributions in a related case.

Carella Byrne appeared for the bankruptcy trustee in *In Re Robert E. Brennan, Debtor*, Case No. 95-35502(KCF) and *Conway v. Pirates Associates et al.*, Adv. Pro. No. 98-3245(KCF). The *Brennan* matter arose out of claims by the SEC against Robert Brennan, formerly of First Jersey Securities, for securities law violations. Litigation was pursued in various domestic and foreign jurisdictions for the recovery of assets. We were successful in identifying and piercing various off-shore trusts and recovering millions of dollars for the bankruptcy estate, which was used in part to satisfy the SEC's judgment against Brennan.

Carella Byrne has also appeared either as trustee, receiver or counsel in: *Federal Trade Commission v. Oak Tree Numismatics, et al.* (D.N.J.) (control and operation of a rare coin dealer, distributions to customers, and turn-back of the enterprise to the defendants without exception); *United States v. Sheelan* (D.N.J.) (liquidation of Rule 144 restricted stock as restitution); *Harvey, Attorney General v. Clover Merchant Group et al.* (Superior Court of New Jersey, Essex County Chancery Division) (equitable receivership for fraudulent securities dealer).

Carella Byrne was also co-counsel for the class with respect to a class action entitled *Marvin Simon, as Authorized Representative for The Marvin Simon Trust, as amended, for Palm Investors, LLC and for The Jeffrey Markman 1993 Irrevocable Trust, Marilyn Simon, Clause Harris, Ann Harris, Ben Simon, Heidi Simon, Britt Simon, Kim Fink, Amy Goldberg, Stefan Rensing, Individually and as Trustee of The S. Rensing 1999 Trust, Fitzroy Ventures, Llc, Michael Le, Individually and as Trustee of the ML Le 1999 Trust, and Mackenzie Ventures, LLC v. KPMG LLP and Sidley Austin Brown & Wood LLP*, United States District Court, District of New Jersey, Civil Action No. 05-3189(DMC).

The *Simon* class action involved allegations against KPMG, and the law firm of Sidley Austin Brown & Wood, stemming out of their role in the promotion of fraudulent off-shore tax shelters. The case settled for approximately \$200,000,000, and was approved by the United States District Court, District of New Jersey. Carella Byrne was instrumental in achieving this significant settlement over vigorous objections from certain class members. Indeed, to achieve the settlement three full days of plenary hearings were held before the District Court, where both fact witnesses and expert witnesses testified. Carella, Byrne handled all aspects of the plenary hearing

Carella Byrne attorneys have also advised and represented clients with respect to numerous antitrust issues relating to restraint of trade, price fixing and monopolization, both in court and in connection with FTC investigations. Those cases include: *Biovail Corporation International v. Hoechst AG*, 49 F.Supp.2d 750 (D.N.J. 1999); *Grace Consulting, Inc. v. Geac Computer Systems, Inc. et al.*, Civil Action No. 02-1252(KSH)(D.N.J.) and *Golden Bridge Technologies v. Nokia, et al.*, Docket No. 2:05-CV-170 (E.D.Tex).

## **Carella, Byrne**

### **REAL ESTATE, LAND USE AND RESORT DEVELOPMENT**

The Firm handles all aspects of transactions involving residential, commercial and industrial properties for both corporate and individual clients. Such transactions involve the preparation and review of real estate and financial documentation, environmental matters, land use regulations, and other related matters. Condominium transactions, including the formation of the condominium project and its approval by the regulatory authorities, and the preparation of the registration statement are included within this area.

The Firm's representation of land developers includes the preparation with the developer of Planning Board Applications, and the appearance before such Boards in connection with applications for subdivisions, variances and site plans. In this connection, the Firm works with the developer's experts in such areas as architecture, engineering, environmental, and traffic.

The Firm has been engaged in extensive litigation in real estate and related environmental matters, and has both represented and opposed major title companies in complex litigation.

### **Regulatory Practice**

Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein is uniquely qualified to guide its clients through the proliferation of governmental regulation in a number of different areas of the law, from the regulation of casinos, to hospitals, from resource recovery facilities to public utilities.

### **Health Care Law**

In order to effectively operate in today's competitive environment, hospitals and other health care delivery systems must keep pace with technological advances and changes in law and insurance. We do.

Currently we represent and advise a variety of health care clients, from rehabilitation facilities and nursing homes to general acute care hospitals. And our primary concern is to help each organization achieve workable solutions to operational problems. To accomplish this, we identify problems and then offer both short- and long-term recommendations to prevent exposure to legal and financial risks. Most importantly, we provide up-to-date knowledge in a constantly changing regulatory system.

We'll handle all legal matters relevant to operation; policy and regulatory requirement correction; risk management review; and efficient, effective management plan development. And we do it all with a sensitive approach to our clients' concerns.

We have extensive experience representing fiscally distressed hospitals in turn around situations. Our team of experts provides needed direction in the areas of affiliation,

## **Carella, Byrne**

corporate restructuring, general workouts, and vendor negotiations, while overseeing crucial day-to-day financial and system operations.

### **Public Utilities**

Our firm has a well-earned reputation for excellence in litigation and negotiation of public utility matters, with special emphasis on rate applications, alternative energy and cogeneration projects, solid waste litigation, and utility-related public issue negotiation.

In fact, we took the lead in drafting and passage of the “McEnroe Legislation” for resource recovery facilities; we have served as senior counsel in numerous cases before the Board of Public Utilities; and we have worked with major investment banks to provide financing for utility and cogeneration projects.

### **Environmental Law**

We have a broad range of experience in guiding clients through the increasingly complex web of federal and state laws designed to clean up and preserve the environment. We offer counsel on compliance with all government statutes and regulations, as well as their application to commercial and real estate transactions. We can help businesses obtain the needed air, water and waste permits. And our litigation attorneys have extensive trial and appellate experience in a variety of cases, including toxic tort, hazardous waste, products liability, insurance law, and more.

### **Tax**

Our firm has sophisticated experience in New Jersey State tax matters. We represent multi-national and multi-state corporations in planning, compliance, and litigation cases involving corporate income tax, sales and use tax, and other state and local taxes, including property taxes. We also provide services in federal, corporation, partnership, individual and non-profit association tax matters. This includes providing representation before the U.S. Tax Court and Administrative offices of the IRS.

### **Labor Relations**

Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein handle all aspects of labor relations matters in the public and private sectors. Our labor relations practice encompasses representation of management in collective bargaining negotiations, including preparation of management’s contract proposals, acting as management’s chief spokesperson at negotiations, and preparation and finalization of negotiated collective bargaining agreements. In addition, we represent management in the public and private sectors in grievance, disciplinary and binding arbitration proceedings.

We also have extensive experience in handling matters before the New Jersey Public Employment Relations Commission and the National Labor Relations Board and in representing management in labor related litigation in both the state and federal courts.

## **Carella, Byrne**

### **Government Affairs**

Recognizing the need for both adversarial and negotiation excellence in the modern government arena, Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein has developed an extensive public issues practice. Our members have testified before Congress, State Legislatures, plus state, county and local governmental and regulatory agencies. To help us retain our leadership role, we are active in a public policy consortium -- the State Capital Law Firm Group -- working within a network of prestigious firms located in every state and throughout the world.

We first work to help our clients focus their concerns, then to develop strategies for implementing their proposals, and finally to act as their representative in every forum of public policy development.

With a strong emphasis on administrative law proceedings and municipal law, we have been successful in representing major national clients in government-related matters. This strength enables us to provide full-service public policy programs for clients, ranging from specific issue representation to integrated crisis management.

### **International Law**

Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein has valuable expertise in various aspects of international law.

Areas of note include airline transportation and trademark litigation involving gray market or parallel imports. Our foreign litigation experience is in the United Kingdom, Canada, Japan, West Germany, Austria, Australia, New Zealand and Italy.

The firm has particular expertise in taking foreign discovery for use in domestic litigation under the Hague Convention as well as Consular Treatises. Additionally, we have special expertise in the international overreach of the U.S. Antitrust Laws and the international transfer of technology. To accomplish this, we maintain a close working relationship with associate counsel in many foreign countries. These firms have special competence in dealing with economic and financial issues, both in their own countries and in regional economic blocks in their region, such as the Common Market.

In connection with our intellectual property law expertise, we file and prosecute patent and trademark applications throughout the world, including the European Patent. And we handle the sale and licensing of technology and trademarks.

## Carella, Byrne

### PARTNERS

#### **CHARLES C. CARELLA**

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**CHARLES C. CARELLA** has been a member of Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein since 1976 and is Chairman of the Executive Committee. He has extensive experience in many areas of corporate practice, including mergers and acquisitions, bank finance, both state and federal administrative matters, plus environmental and solid waste matters. He has appeared on numerous occasions before the Board of Public Utilities in all forms of utility matters, and has served as a Trustee/Receiver in matters initiated by the Federal Trade Commission, Securities and Exchange Commission, the Federal District Court for the District of New Jersey and has served as Provisional Director upon appointment by the Superior Court of the State of New Jersey, Chancery Division.

Mr. Carella graduated from Fordham University with a B.S. degree in 1955 (Cum Laude) and received an LL.B. degree from Rutgers University in 1958. He was admitted to the New Jersey Bar in 1959 and the New York Bar in 1983.

He has served as an Assistant Prosecutor as well as Special Prosecutor of Essex County; Director of the New Jersey State Lottery Commission, Executive Secretary to the Governor, State of New Jersey, 1975-1976; Member of the Ethical Standards Commission for the State of New Jersey; as well as Chairman, New Jersey State Racing Commission, 1976-1980. He has served as Chief Counsel to the Passaic Valley Sewerage Commissioners.

Mr. Carella is a member of the Essex County, New Jersey State, New York State and American Bar Associations, the Association of Trial Lawyers of America, and the American Judicature Society. He is a member of the Finance Board of the Archdiocese of Newark, and a Trustee Fellow of Fordham University. He was formerly Chairman of the Board of Trustees of The University of Medicine and Dentistry of New Jersey; a member of the Board of Trustees of Robert Wood Johnson University Hospital; a member of the Board of Trustees of University Health System of New Jersey; a member of the Board of Bally Gaming International, Inc., and a member of The Board of Carteret Savings Bank.

Mr. Carella has been named to *Who's Who in American Law*.

#### **BRENDAN T. BYRNE**

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**BRENDAN T. BYRNE** graduated from Princeton University with an A.B. degree in 1949 and received an LL.B. degree from Harvard Law School in 1950.

He served as Prosecutor of Essex County, New Jersey; as President of the New Jersey Public Utility Commission; as Assignment Judge of the New Jersey Superior Court; and then as Governor of New Jersey from 1974-1982.

## Carella, Byrne

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Mr. Byrne is a former Vice President of the National District Attorney's Association; Chairman of the National Commission on Criminal Justice Standards and Goals; Chairman, National Governors Association on International Trade; and trustee of Princeton University. He is an Editor of the New Jersey Law Journal and of Irish Law Reports; and former Chairman of the Princeton University Council on New Jersey Affairs and United States Marshals Foundation. He is a former member of the Board of Directors of Mack Cali Realty and Chelsea GCA.

Mr. Byrne was a member of the Board of Directors of Prudential Insurance Company of America, New Jersey Bell Telephone Company, Elizabethtown Water Company, Jamesway Corporation, Ingersoll-Rand and served as a Commissioner of the New Jersey Sports and Exposition Authority. He was litigation counsel to Carvel Corp. and Witco Corporation.

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**JAMES E. CECCHI** is a member of the firm's executive committee and specializes in complex civil and chancery litigation in federal and state court as well as the prosecutor of complex federal class actions involving claims arising under federal securities laws, consumer protection laws and antitrust laws. Mr. Cecchi personally handled on behalf of the firm the Exxon class action litigation, Merck Securities litigation, KPMG class action litigation and is currently prosecuting securities class actions, antitrust class actions and numerous consumer fraud class actions on behalf of the firm. Mr. Cecchi joined the firm in 1994 after serving in the United States Department of Justice as an Assistant United States Attorney for the District of New Jersey. In that capacity, Mr. Cecchi participated in numerous significant criminal prosecutions involving money laundering, narcotics smuggling and violations of federal firearms laws.

Mr. Cecchi graduated from Colgate University in 1989 with honors, majoring in History and Political Science. Mr. Cecchi was Executive Editor of the Colgate News. In 1989 he graduated from Fordham University School of Law and was a member of the International Law Journal. Mr. Cecchi served as Law Clerk to the Honorable Nicholas H. Politan in the United States District Court, District of New Jersey from 1989-1991. He is a member of the Federal, New Jersey State, Essex County and Bergen County Bar Associations.

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**PETER G. STEWART**, a member of the Executive Committee, has been a member of Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein since 1979. He has broad experience in many areas of corporate practice, with emphasis on Health Care, Real Estate Development and Public Utility matters. His practice also includes representing clients before various Local, County and State Agencies and the New Jersey Legislature as registered lobbyist.

## Carella, Byrne

Mr. Stewart served as the Mayor of his home town, as an elected member of the Essex County Board of Chosen Freeholders, as an Assemblyman in the New Jersey Legislature, and Chief Counsel to the County of Essex. He served as the General Counsel to the New Jersey State Democratic Committee.

He is an emeritus member of the Board of Lay Trustees of Delbarton School, Morristown, New Jersey, and also a member of the Board of Trustees of Saint Peter's College, Jersey City, New Jersey. He is a member of the Board of Directors of Horizon Blue Cross/Blue Shield of New Jersey. He is a former chairman of the Board of Directors of West Jersey Community Bank and West Jersey Bancshares, Inc., a publicly traded State Charter Commercial Bank.

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**ELLIOT M. OLSTEIN**, a member of the Executive Committee, has broad experience in intellectual property law including securing patent protection; licensing of technical information and patents; infringement and validity opinions; evaluating intellectual property rights for investors; and intellectual property litigation. His particular areas of expertise include chemical and biochemical inventions with particular emphasis on their medical applications.

He also has experience in corporate law and business financing, including venture capital financing, with specific emphasis on technically-oriented business.

Mr. Olstein graduated from Columbia College and Columbia School of Engineering, receiving an A.B. Degree in 1960 and a B.S.Ch.E. in 1961. He received a J.D. Degree from Georgetown University Law Center in 1965 and an LL.M. in taxation from New York University.

Mr. Olstein served for three years as Chairman of the Patents, Trademarks, Copyrights and Unfair Competition Section of the New Jersey Bar Association and is admitted to practice in the States of New Jersey, New York, and Virginia.

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**ARTHUR T. VANDERBILT II** joined Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein in 1982. Since 1978, Mr. Vanderbilt has specialized in public finance law. He has been listed in the "Red Book" of approved municipal bond attorneys in the United States for over twenty-five years. He has had broad experience in general obligation bond and revenue bond financings as Bond Counsel, underwriter's counsel, and trustee's counsel, and has been involved with billions of dollars of financings. In addition, Mr. Vanderbilt has represented many clients before the New Jersey Board of Public Utilities, and is a registered Governmental Affairs Agent.

Mr. Vanderbilt graduated with an A.B. degree from Wesleyan University (magna cum laude) in 1972 and with a J.D. degree from the University of Virginia School of Law in 1975.

After a judicial clerkship with the Hon. Herman D. Michels, Presiding Judge of the New Jersey Superior Court, Appellate Division, Mr. Vanderbilt served as Deputy Attorney General of New Jersey, and Counsel to the New Jersey Board of Public Utilities. Before joining Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart, & Olstein, he served as Assistant Counsel to the Governor of New Jersey.

Mr. Vanderbilt is listed in Who's Who in America, and, as the author of many books and articles about the law, in Contemporary Authors. He won the American Bar Association's Scribes Award in 1976 for the best book about the law published that year, and was inducted into the New Jersey Literary Hall of Fame in 2001. Mr. Vanderbilt served as a member and chairman of a Supreme Court District Ethics Committee, and was a member of the Supreme Court's Advisory Committee on Professional Ethics and a member of the New Jersey State Bar Association's Task Force on Attorney Disciplinary System. He has served as a member and president of the Board of Trustees of the Elizabeth, New Jersey Presbytery; the Summit, New Jersey Free Public Library; The Manley-Winsor Foundation and Greenwood Gardens. He is a member of the American Bar Association, the New Jersey Bar Association, and the National Association of Bond Lawyers. He was named a fellow of the American Bar Foundation in 2000.

### **JAN ALAN BRODY**

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**JAN ALAN BRODY** a member of the Executive Committee, became associated with the firm of Cecchi & Politan in 1976. He became a partner in 1982 and, in 1987, the firm name was changed to Cecchi, Brody & Agnello when partner Nicholas H. Politan became a United States District Court Judge.

Mr. Brody graduated from Boston University cum laude in 1973 with an A.B. degree in political science. In 1976, he graduated Boston University Law School with a Juris Doctor degree. He has had extensive experience in complex civil and chancery litigation and has a substantial family law practice.

## **Carella, Byrne**

He is a member of the American, New Jersey State, and Bergen County Bar Associations. He has also served as counsel for the Fort Lee Planning Board and as a Standing Master appointed by the United States District Court for the District of New Jersey.

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**JOHN M. AGNELLO** joined the firm of Cecchi and Politan in 1979. In 1983, he became a partner in the firm. In 1987, he became a name partner as the firm's name was changed to Cecchi, Brody & Agnello after Nicholas H. Politan became a U.S. District Court Judge. Cecchi, Brody and Agnello merged with Carella, Byrne in 1990 at which time Mr. Agnello became a partner in Carella, Byrne.

Mr. Agnello graduated from Stevens Institute of Technology in 1975 receiving a B.E. with Honor in mechanical engineering. In 1979, he graduated from Seton Hall University School of Law receiving a J.D., Cum Laude. He has extensive experience in complex commercial litigation with particular emphasis on environmental, insurance coverage, ERISA and construction cases. Additionally, he has a substantial labor practice representing management (both public and private) in collective bargaining negotiations, labor mediation and arbitration proceedings, as well as actions before the National Labor Relations Board and the New Jersey Public Employment Relations Commission. Mr. Agnello also represents ERISA Pension and Welfare Funds.

He is a member of the American, Federal, New Jersey State, and Bergen County Bar Associations.

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**CHARLES M. CARELLA** is experienced in general counsel law, municipal law, bankruptcy matters including corporate insolvency and creditors' rights and general litigation. He received his B.S. in mechanical engineering from Lehigh University in 1979 and his M.B.A. from Iona College's Hagan School of Business in 1985. He received his J.D. degree from Fordham University School of Law in 1989. He is admitted to the Bars of the State of New Jersey; The United States District Court for the District of New Jersey; the State of New York; and the United States District Courts for the Southern and Eastern Districts of New York. He is a member of the New Jersey State and New York Bar Associations. He is currently outside General Counsel for the Archdiocese of Newark and is a member of the Professionals Group Advisory Council for Valley National Bank. He was formerly Township Attorney for the Township of Nutley, New Jersey, 1996. He formerly served as a member of the Board of Trustees of Caldwell College and a member of the Board of Governors of the CYO Youth Ministries of the Archdiocese of Newark, New Jersey.

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**LINDSEY H. TAYLOR**, born Spartanburg, South Carolina, July 8, 1961; admitted to bar, 1986, New Jersey; 1987, New York; 1989, District of Columbia. Education: University of North Carolina at Chapel Hill (B.A., with honors, 1983; J.D., 1986). Member: American Bar Association. Reported cases: *Thoroughbred Software International, Inc. v. Dice Corp.*, 488 F.3d 352 (6<sup>th</sup> Cir. 2007) *aff'g in part and rev'g in part* 439 F.Supp.2d 758 (E.D.Mich. 2006); *Lucent Information Management, Inc. v. Lucent Technologies, Inc.*, 186 F.3d 311 (3d Cir. 1999); *Circle Industries USA, Inc. v. Parke Construction Group, Inc.*, 183 F.3d 105 (2d Cir.) *cert. denied* 120 S.Ct. 616 (1999); *Brown v. Grabowski*, 922 F.2d 1097 (3d Cir. 1990), *cert. denied* 111 S.Ct. 2827 (1991); *Thoroughbred Software International, Inc. v. Dice Corp.*, 439 F.Supp.2d 758 (E.D.Mich. 2006); *Euro-Pro Corporation v. TriStar Products*, 172 F.Supp.2d 567 (D.N.J. 2001); *Biovail Corporation International v. Hoechst AG*, 49 F.Supp.2d 750 (D.N.J. 1999); *Broadcast Music, Inc. v. 84-88 Broadway, Inc.*, 942 F.Supp. 225 (D.N.J. 1996); *Broadcast Music, Inc. v. DeGallo, Inc.*, 872 F. Supp. 167 (D.N.J. 1995); *Lifschultz Fast Freight v. Rainbow Shops*, 784 F.Supp. 89 (S.D.N.Y. 1992); *McGill v. Mountainside Police Dept.*, 720 F.Supp. 418 (D.N.J. 1989); *In Re Sound Radio, Inc.*, 145 B.R. 193 (Bankr., D.N.J. 1992); *In Re Prestegaard*, 139 B.R. 117 (Bankr., S.D.N.Y. 1992); *In Re Pineview Care Center, Inc.*, 142 B.R. 677 (Bankr., D.N.J. 1992), *aff'd* 152 B.R. 703 (D.N.J. 1993); *Downs v. Yuen*, 298 A.D.2d 177, 748 N.Y.S.2d 131 (1<sup>st</sup> Dept. 2002); *Velazquez v. Jiminez*, 336 N.J.Super. 10 (App.Div. 2000); *Conestoga Title Insurance Co. v. Premier Title Agency*, 328 N.J.Super. 460 (App.Div. 2000); *Citibank v. Errico*, 251 N.J.Super. 236 (App. Div. 1991); *Brew v. Stern*, 254 N.J.Super. 237 (Law Div. 1991). Publications: "Responding to the Complaint" in *New Jersey Federal Civil Procedure*, New Jersey Law Journal Books, 2d Ed. 2008; "Applying the CISG to International Software Transactions", *Metropolitan Corporate Counsel*, October 1999, "The Digital Millennium Copyright Act: New Protections for the Computer Age", *Intellectual Property Supplement, New Jersey Law Journal*, July 26, 1999; "Copyright Basics for Occupational Therapy Practitioners", *OT Practice*, May 1999, "Facing the New Millennium-Without Bugs", *OT Practice*, December 1998; "The Year 2000 Malpractice Bug: Waiting to Trap the Unwary Attorney", for National Legal Malpractice Conference, sponsored by ABA Standing Committee on Lawyers' Professional Liability, September 1998; "Self-Help in 2000: How a business can do its own Y2K compliance without violating copyright laws", *Intellectual Property Supplement, New Jersey Law Journal*, July 20, 1998; "State and Local Taxation of Software: A Trap for the Unwary CIO" *Chief Information Officer Journal*, Fall 1989. Lectures: "Intellectual Property Basics for Health Care Attorneys", 2004 Health & Hospital Law Symposium, New Jersey Institute for Continuing Legal Education, October, 15, 2004; "Hot Topics in Copyright Law", 2003 Intellectual Property Summit, New Jersey Institute For Continuing Legal Education, May 2, 2003; "The Inside Track on Copyright Law", WYNY 103.5 First Annual "Country Holiday Expo" songwriters' seminar, November 18, 1995. Practice areas: Commercial Litigation; Intellectual Property Litigation; Bankruptcy.

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**JAMES T. BYERS** has been a member of Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein since 1981 and during that time has been engaged in general corporate, real estate and banking law and tax exempt bond financing. He has broad expertise in many areas of

## **Carella, Byrne**

corporate practice, including real estate and asset based lending, mergers and acquisitions, purchase and sale of real estate and corporate counseling; and as Bond Counsel in connection with the issuance of tax exempt bonds. Mr. Byers graduated from Rutgers College with an A.B. degree in 1974 and received a J.D. degree from George Washington University in 1979. He has lectured and participated in panel discussions on financing and banking law subjects. He is a member of the American and New Jersey State Bar Associations and a member of the National Association of Bond Lawyers.

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**DONALD F. MICELI** specializes in financial matters including federal income taxation, state and real property taxation, taxation litigation and rate making matters before the New Jersey Board of Public Utilities. His practice also includes the representation of developers before local planning boards. He received a B.A. degree from Seton Hall University, an LL.B. degree from Rutgers University, and an LL.M. degree from New York University. He is admitted to the bar of the State of New Jersey and the United States Tax Court. Mr. Miceli has served as Assistant Corporation Counsel, City of Newark, and as Tax Consultant to the Essex County Board of Taxation.

### **A. RICHARD ROSS** [RRoss@CarellaByrne.com](mailto:RRoss@CarellaByrne.com)

**A. RICHARD ROSS** is a member of the Litigation and Corporate Departments of the Firm. He has broad experience in complex litigation, corporate, securities, tort and banking matters. Mr. Ross is particularly experienced in international matters including asset recovery and transnational commercial ventures. He also has extensive experience in equity practice and equitable receiverships, and has engaged in a wide range of real estate, trust and estates and commercial loan transactions. Mr. Ross graduated with a B.A. degree from Reed College in 1972, and received a J.D. degree from New York Law School in 1977. He served as a Staff Attorney in the Office of the President, New Jersey Civil Service Commission in 1977, and in the Office of Legal Counsel, New Jersey Supreme Court from 1978-1982, where he also served as an ex-officio member of the Supreme Court Committee on Civil Practice. He is a member of the New Jersey Supreme Court and District Ethics Committee, New Jersey State Bar Association and the American Bar Association (member of the International, Litigation, Business Law, Tort and Insurance and Real Estate, Property and Probate Sections). Mr. Ross has numerous reported decisions including *SEC v. Antar*, 831 F. Supp. 380 (D.N.J. 1993), judgment aff'd 54 F. 3d 770 (3d Cir. 1995); *In re. National Smelting Inc. of New Jersey Bondholders' Litigation*, 722 F. Supp. 152 (D.N.J. 1989); and *Reinfeld Inc. v. Schieffelin & Co.*, 94 N.J.(1984). Mr. Ross was a merit selection to the 2005 New Jersey "Super Lawyers".

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## Carella, Byrne

**KENNETH L. WINTERS** is primarily engaged in the areas of construction law, anti-trust, trademarks, copyrights, constitutional challenges to commercial regulatory statutes, computer and software law and general disputes. He also has extensive appellate experience. Mr. Winters graduated from the University of South Carolina in 1977 with a Bachelor of Arts Degree (magna cum laude), and became a member of Phi Beta Kappa that year. He received his J.D. degree from Duke University in 1980. He served a one year clerkship with a judge of the Superior Court of New Jersey and thereafter has been in private practice. Mr. Winters is admitted to the state and federal bars of New Jersey, and to the bars of the United States Courts of Appeal for the Third Circuit, the Federal Circuit, and the Eleventh Circuit. He is a member of the American, New Jersey State, and Essex County Bar Associations.

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**JEFFREY A. COOPER** specializes in bankruptcy matters involving corporate insolvency and creditors' rights litigation. He received his B.A. degree in History from Yale University in 1977 and his J.D. degree from Cornell University, 1980, where he was a Member Phi Alpha Phi. Jeffrey was an Assistant Prosecutor, Essex County, New Jersey from 1981 – 1983, a Member of the Fee Arbitration Committee District VC, Essex County, 1991 – 1995 and a Master, Bankruptcy Inn of Court, 1993 – 1994. He is admitted to the Bars of the State of New Jersey; the United States District Court for the District of New Jersey; the State of New York, the United States District Courts for the Southern and Eastern Districts of New York; and the United States Courts of Appeal for the Second and Third Circuits. He is a Member, New Jersey State Bar Association and the American Bankruptcy Institute. Jeffrey has been a Member of the Merit Selection Panel (which recommends bankruptcy judge appointments to the Third Circuit Court of Appeals) in 1998, 2000 and 2001. He also has been selected as a “Super Lawyer” in 2005 and 2006. Jeffrey is a Member of the Board of Directors and also the Chair of the Bankruptcy Section of the State Capital Global Law Firm Group, an association of law firms around the world.

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## Carella, Byrne

President of the Rutgers Alumni Association from 1984-1985; and Trustee of Rutgers University from 1985-1991. He currently serves as a Trustee of the New Jersey Institute of Local Government Attorneys. He is a member of the American Bar Association, New Jersey State Bar Association, and Morris County Bar Association.

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**KHOREN BANDAIZIAN**, born Richmond, VA, February 7, 1969; admitted to bar, 1995, New Jersey, 1996, New York; Education: Northeastern University (B.S., 1991), Pace University (J.D. 1995). Mr. Bandazian represents individuals, contractors/builders, and developers in all areas of real estate acquisition, financing, leasing, development and sales. He also serves as counsel to lenders in connection with commercial lending. He is counsel to many small business and advises them on the many day-to-day legal issues which face the business community. He is active in the practice of community association law and represents developers in connection with many condominium conversion projects. He is a member of the New Jersey Community Association Institute and serves as a Board of Director for the Community Builder's Association. He is active in his community and also serves on the boards of other charitable organizations. He is president of the Board for the Co-Op where he resides in Fort Lee, New Jersey with his wife and two children.

## **OF COUNSEL**

**RICHARD K. MATANLE** has broad experience in real estate, banking, general contract and business matters as well as commercial litigation. Within these fields of concentration, he has extensive experience in commercial lending and real estate transactions, including commercial real property leasing. His commercial loan transaction experience includes creditors' rights, litigation and loan workouts. He received a B.A. degree from the State University of New York at Buffalo and a J.D. degree from Hofstra University School of Law.

## Carella, Byrne

Mr. Matanle was previously Associate Counsel with the Chase Manhattan Bank, N.A. and a partner in the law firm of Blackburn, Rice and Matanle. He also served as counsel with the Federal Deposit Insurance Corporation. He is admitted to the Bars of the State of New Jersey and New York and to the Bars of the United States District Courts in both States.

**DONALD S. BROOKS** received a B.A. degree from Columbia College and an LLB degree from Columbia University Law School. He served as a Trial Attorney with the National Labor Relations Board and immediately prior to joining Carella, Byrne, he was Senior Counsel for Merck & Co., Inc. During his twenty-seven-year career with Merck, Mr. Brooks coordinated a wide variety of general corporate work for the company, including negotiations and preparation of contracts, regulatory compliance and worldwide labor relations activities. Most recently he supervised the legal aspects of the company's worldwide technology transfer activities, including planning, negotiations and drafting licensing agreements, strategic alliances and joint as well as marketing, distribution, supply and research related agreements. Mr. Brooks has also served as a U.S. delegate to the International Labor Organization in Geneva, Switzerland. He is a member of the New Jersey and Pennsylvania Bar Association and has served as Chairman of the Corporate Law Section of the New Jersey Bar Association. Mr. Brooks is also a member of the New York Bar and has published articles on labor relations, joint ventures and training and development in corporate law departments.

**FRANCIS C. HAND**, born New York, N.Y.; admitted to bar, 1964, District of Columbia; 1965, New York; 1971, New Jersey; registered to practice before U.S. Patent and Trademark Office. Education: Manhattan College (B.C.E.); Georgetown University (J.D.). Arbitrator, American Arbitration Association. Member: New York State, New Jersey State and American Bar Associations; The District of Columbia Bar. Mr. Hand was previously a partner in the patent law firm of Kenyon & Kenyon for twenty years and presently represents domestic and foreign corporations in the prosecution of patents and trademarks and the litigation of patents in the federal courts. Practice Areas: Patents; Trademarks; Licensing; Litigation.

**AVRAM S. EULE**, born Newark, New Jersey, April 9, 1948; admitted to bar, 1971, New Jersey and U.S. District Court, District of New Jersey; 1986, U.S. Supreme Court. Education: Rutgers University (A.B., 1968); University of Oklahoma (J.D., 1971). Phi Alpha Delta. Member, Board of Governors, Rutgers Alumni Federation, 1974-1978. Board of Trustees, Temple Beth Am, 1989-1994; Task Forces, United Jewish Federation of MetroWest, 1992-1998. Member: American Bar Association. Reported Cases: Dienco, Inc. v. Security National Bank of New Jersey, 221 N.J., Super. 438 (App. Div. 1987). Practice Areas: Transactional Law; Real Estate Law; Commercial Litigation; Corporate Law; Loan Workouts.

**RAYMOND W. FISHER**, born Newark, New Jersey, June 8, 1949; admitted to bar, 1975, New Jersey and U.S. District Court, District Court of New Jersey; 1981, U.S. Supreme Court; 1982, U.S. Court of Appeals, Third Circuit. Education: Georgetown University (B.A., cum laude, 1971); Fordham University (J.D., 1975). Phi Beta Kappa. Member, Fordham Law Review, 1974-1975. Clerk to Honorable Thomas F. Murphy, United States District Court

## Carella, Byrne

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**DAVID J. REICH** specializes in complex commercial litigation, health care litigation and intellectual property litigation. He graduated from Yale University cum laude with distinction in American History in 1975 and received his J.D. degree from the University of Pennsylvania in 1978. Mr. Reich served as a Law Secretary to Hon. Alan B. Handler, Associate Justice of the New Jersey Supreme Court from 1978-1979. He is admitted to the bars of the State of New Jersey, the United States District Court of the State of New Jersey, the State of New York, the United States District Court of the Southern and Eastern Districts of New York and the United States Courts of Appeals for the Third and Seventh Circuits.

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He is a member of the American and New Jersey State Bar Associations, and a Fourth Degree member of the Knights of Columbus.

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He is a member of the New Jersey State Bar Association, The American Intellectual Property Law Association and The New Jersey Intellectual Property Law Association.

**ALAN J. GRANT**, born Brooklyn, New York, March 8, 1950; admitted to bar, 1985, New York; 1989, U.S. District Court, Southern and Eastern Districts of New York; 1993, U.S. Court of Appeals, Federal Circuit; registered to practice before U.S. Patent and Trademark Office. (Not admitted in New Jersey). Education: St. Francis College (B.S., 1972); State University of New York, Downstate Medical Center (Ph.D., 1979); Brooklyn Law School (J.D.,

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